

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 77-72

ENFORCEMENT ORDER FOR ISSUANCE OF A TIME SCHEDULE

ORDER DIRECTING THE CITY OF SAN LEANDRO, ALAMEDA COUNTY,
TO COMPLY WITH REQUIREMENTS PRESCRIBED BY THE CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD, SAN FRANCISCO BAY
REGION, IN ORDER NO. 74-130 (NPDES PERMIT NO. CA0037745)
AS AMENDED BY ORDER NO. 77-71

The California Regional Water Quality Control Board, San Francisco Bay Region,
finds that:

1. This Board on November 1, 1974, adopted Order No. 74-130 prescribing waste discharge requirements including a compliance time schedule for the City of San Leandro in accordance with statutory requirements of the Federal Water Pollution Control Act and the California Water Code on June 21, 1977. The Board adopted Order No. 77-71 amending Order No. 74-130. The amended permit contains a compliance date of July 1, 1977, for achieving secondary effluent limitations as required by the Federal Act.
2. The City of San Leandro has submitted evidence which documents that the above requirements contained in amended Order No. 74-130 cannot be achieved. The discharger has experienced delays beyond its control because of problems in development of the East Bay Dischargers Authority (EBDA) Wastewater Management Phase I Project.
3. The City of San Leandro has submitted a time schedule by which it can achieve the requirements contained in amended Order No. 74-130.
4. The Board has notified the discharger and interested agencies and persons of its intent to adopt a time schedule for compliance.
5. The Board in a public hearing heard and considered all comments pertaining to this discharger's ability to achieve compliance.

IT IS HEREBY ORDERED, that in accordance with Water Code Section 13300, the City of San Leandro shall comply with provision D.2(a) of Order No. 74-130, as amended by Order No. 77-71, in accordance with the following schedule:

1. <u>Task</u>	<u>Compliance Date</u>	<u>Report of Compliance Date</u>
a. Commence design of roughing filter and improvements for meeting secondary-treatment standards	July 1, 1977	July 15, 1977
b. Submit 100% completed plans and specifications for pump station	August 1, 1977	August 15, 1977

<u>Task</u>	<u>Compliance Date</u>	<u>Report of Compliance Date</u>
c. Commence construction of force-main between San Leandro STP and Marina	February 1, 1978	February 15, 1978
d. Commence construction of pump station	May 1, 1978	May 15, 1978
e. Submit 100% completed plans and specifications for roughing filter and plant improvements	June 1, 1978	June 15, 1978
f. Status report: construction of force main and pump station	November 1, 1978	November 15, 1978
g. Commence construction of roughing filter and plant improvements	January 1, 1979	January 15, 1979
h. Complete construction of force-main between San Leandro STP and Marina	May 1, 1979	May 1, 1979
i. Status report: construction of pump station, roughing filter, and plant improvements	October 1, 1979	October 15, 1979
j. Complete construction of pump station, roughing filter, plant improvements	January 1, 1980	January 15, 1980
k. Complete construction of Bay outfall and commence discharge to interceptor in compliance with prohibition C.1	January 1, 1980	January 15, 1980
l. Full compliance	April 1, 1980	April 15, 1980

2. This Order expires on July 1, 1980.

The Board declares that it shall not undertake further enforcement action to bring the City of San Leandro into compliance with final effluent limitations by July 1, 1977, as contained in amended Order No. 74-130 provided:

- a. The City of San Leandro complies with all terms of the time schedule contained in this Order;
- b. The City of San Leandro complies fully with all terms of the amended permit with the exception of provision D.2(a);

- c. Circumstances do not occur which would warrant modification of the permit or time schedule; and
- d. Circumstances do not occur which would warrant an action under Section 504 of the Federal Water Pollution Control Act.

The action taken by this Board pertaining to the time schedule does not preclude the possibility of actions to enforce the permit by third parties pursuant to Section 505 of the Federal Water Pollution Control Act.

I, Fred H. Dierker, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on June 21, 1977.

FRED H. DIERKER
Executive Officer